

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

E. JEAN CARROLL,

Plaintiff,

v.

DONALD J. TRUMP, in his personal capacity,

Defendant.

No. 20 Civ. 7311 (LAK)

STIPULATION AND [PROPOSED] ORDER

WHEREAS the Court entered a Scheduling Order setting a trial date of April 10, 2023 in this action (*Carroll I*), ECF No. 100;

WHEREAS the Court entered a Scheduling Order in the related action *Carroll v. Trump*, No. 22 Civ. 10016 (*Carroll II*) setting a trial date of April 25, 2023, *Carroll II*, ECF No. 49;

WHEREAS Federal Rule of Civil Procedure 42(a) provides that the Court may order that actions be joined or consolidated in whole or in part if they involve “common issues of law or fact,” Fed. R. Civ. P. 42(a);

WHEREAS *Carroll I* and *Carroll II* involve a common question of law or fact, ECF No. 96;

WHEREAS the parties have met and conferred on this matter and jointly request that *Carroll I* and *Carroll II* be consolidated for trial on April 25, 2023;

IT IS ACCORDINGLY STIPULATED AND AGREED that:

- The consolidated trial shall start on April 25, 2023.
- The consolidated trial shall cover liability and damages for both *Carroll I* and *Carroll II*.
- The jury shall use a special verdict form to separately identify the damages, if any, attributable to each claim in *Carroll I* and *Carroll II*.

- Under Federal Rules of Civil Procedure 54(b) and 58(b)(2), the Court shall enter judgment on *Carroll I* only after all interlocutory appeals are finally resolved.
- The parties shall not seek any stay of the trial date in either *Carroll I* or *Carroll II*.
- The parties hereby waive any objection to the trial judgment in *Carroll II* based on its consolidation with *Carroll I*.
- On April 17, 2023, the parties shall jointly notify the District of Columbia Court of Appeals of the upcoming jury trial schedule and respectfully request that the court defer issuing any decision until the conclusion of the trial.

Dated: March 17, 2023


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Counsel for Plaintiff E. Jean Carroll

IT IS SO ORDERED this ____ day of _____, 2023

The Hon. Lewis A. Kaplan
United States District Judge